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INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

Subject: **Richard Lutz, Deputy Deputy, Employee [redacted]**
[redacted], Deputy Sheriff, Employee #[redacted]

Crescenta Valley Station, Field Operations Region I

Date: **June 24, 2006, (Saturday), 1730 hours**

Location: [redacted]

SUMMARY:

On Saturday, June 24, 2006, at approximately 1620 hours, Glendale Police Officer [redacted] was in the vicinity of [redacted], in the city of [redacted] when he saw a male and female in front of the location. The male, upon looking in the direction of Officer [redacted], ran into the residence. Officer [redacted] contacted the female who identified herself as [redacted] During the contact he ran her for warrants under the given name and found she had none. While doing so, he received a radio call for service in the city. Officer [redacted] concluded his contact with [redacted] and responded to his call. As he did so, he sent a computer message to Glendale Police Officer [redacted] stating a male subject had run from him and entered the residence at [redacted].

Officer [redacted] drove to the area of [redacted] to check the area. Upon his arrival in the area he saw Deputies Lutz and [redacted] driving their marked Sheriff's Department vehicle in the area. He made contact with the deputies and discovered they were going to [redacted] also, as it was a known drug user hang-out. Officer [redacted] and Deputies Lutz and [redacted] drove in tandem, with the Glendale police car in the lead, toward the residence. As they neared the residence they saw a female white, later identified as [redacted], going inside the residence. The deputies exited their vehicle and Deputy Lutz approached the front door of the residence, while Deputy [redacted] checked the vehicle parked in the driveway. Officer [redacted] stood near his police car, which was parked on [redacted].

Once at the front door, Deputy Lutz made contact with the caretaker of the residence, [redacted], who he recognized from prior contacts. He asked Mr. [redacted] if anyone else was in the residence and was told no. At the same time, [redacted] made herself known, by stepping out into his view. Deputy Lutz said he was now being joined by Deputy [redacted] who asked Ms. [redacted] to step outside and speak with him. She complied and, as she did so, Deputy [redacted] noticed she appeared to be under the influence.

Deputy Lutz, meanwhile, continued his conversation with Mr. [redacted] Deputy Lutz asked Mr. [redacted] if he was still on parole and was told he was currently on probation.

He then asked if he had "conditions" as part of his probation. Mr. [redacted] replied that he did. When asked what he was doing at the residence, Mr. [redacted] told Deputy Lutz he was cleaning the place up and asked Deputy Lutz to come inside and see for himself. Because Deputy [redacted] was still dealing with Ms. [redacted] Deputy Lutz asked Officer [redacted] to accompany him inside the location. Both Deputy Lutz and Officer [redacted] then went inside the residence. Inside the residence Deputy Lutz and Officer [redacted] walked through the rooms and checked for other occupants. While inside Deputy Lutz and Officer [redacted] noted that some methamphetamine pipes and syringes were inside the residence.

While Deputy Lutz and Officer [redacted] were inside, Deputy [redacted] dealt with Ms. [redacted] He had her conduct several sobriety tests and determined she was under the influence of methamphetamine and was under arrest. He asked Ms. [redacted] if she had any property inside the residence and was told she had. He then escorted her inside to examine her property. Once inside, he began to go through Ms. [redacted] property. While doing so, he heard additional Glendale police officers, who had arrived at the location, say someone had just run from the back of the house. Deputy [redacted] partner, Deputy Lutz, then told him he was going to assist Glendale police officers in the search for the person who ran.

Deputy [redacted] continued dealing with Ms. [redacted] property and, while doing so, heard a sound coming from the nearby bathroom shower area and went to investigate. Around the same time, Officer [redacted] entered the room and walked to the bathroom area joining Deputy [redacted] Deputy [redacted] pulled back the shower curtain and they discovered [redacted] hiding in the shower with his hands on top of his head. Mr. [redacted] was removed from the shower and Officer [redacted] placed him in handcuffs.

Shortly after being placed in handcuffs, Mr [redacted] Ms. [redacted], and the law enforcement officers from both agencies exited the residence. As they did so, Deputy Lutz was walking toward the residence. He immediately recognized Mr. [redacted] as a prior informant and work release trusty at Crescenta Valley Station. Mr. [redacted] also recognized Deputy Lutz. Mr. [redacted] asked Deputy Lutz if he could help him out and Lutz replied that he could not, as he was a parolee at large. A conversation ensued between the deputies and Glendale police officers and, ultimately, their was a handcuff exchange and the deputies took Mr. [redacted] into their custody.

Prior to leaving the location, a discussion took place between the deputies and Glendale police officers whether a probation search was or should be conducted at the location. Glendale Officers [redacted] and [redacted] contend the deputies told them they had to a supervisor present and video tape any probation search so they were going to state they contacted Ms. [redacted] and Mr. [redacted] in front of the location. However, neither officer could remember the specific wording of the conversation and stated it was words to that effect. The deputies, however, stated the Glendale officers asked them if they were going to arrest Mr. [redacted] for the methamphetamine pipes and syringes. The deputies said they told the Glendale officers they hand no interest in arresting Mr [redacted] as that would constitute a

probation search and the evidence seen was not worth the effort. The further said they explained that in order to conduct a probation search, they would have to have a sergeant present and conduct a pre and post search video of the location. The deputies then left the location with two prisoners.

In preparing the arrest report, Deputy [redacted] wrote that he contacted Ms. [redacted] in front of the location and Deputy Lutz contacted Mr. [redacted] in front of the location. When questioned during his interview, he stated he believed the report was accurate as he made his initial contact with Ms. [redacted] in front of the location when she exited the house and Deputy Lutz made his initial contact with Mr. [redacted] when he exited the residence. Deputy Lutz agreed with Deputy [redacted] interpretation. Both deputies however, stated they now understand they should have been more accurate in their reporting of the incident.

WITNESS

Officer [redacted], of the Glendale Police Department was interviewed on July 28, 2006, at 1120 hours. The interview took place at the Glendale Police Department. The interview was conducted by Sergeant Jack Ramirez of the Internal Affairs Bureau.

Officer [redacted] said on June 24, 2006, at approximately 1620 hours, he received an MDT message from Officer [redacted] about several people outside of [redacted] and that several of them had ran inside of the location. Officer [redacted] asked officer [redacted] to go back to the residence in an attempt to locate the male Hispanic who had ran inside of the location. En route to the location, officer [redacted] saw a Sheriff's unit which contained Deputies Lutz and [redacted] Officer [redacted] asked if they were headed to [redacted], in the city of [redacted] to which they replied they were.

Officer [redacted] was the lead vehicle to the location and deputies Lutz and [redacted] followed behind. Upon officer [redacted] arrival, he saw a female white (later identified as [redacted]) rummaging through a vehicle [redacted]) that was parked in the driveway at [redacted] As the female saw officer [redacted], she ran inside of the house. As deputies Lutz and [redacted] arrived, [redacted] asked them if they had seen the female white run into the location. They responded they had not. Deputy [redacted] proceeded to search the interior of the vehicle while Depu[redacted]alk up to the front door in an attempt to contact the occupants.

Officer [redacted] stood back by the vehicle that [redacted] was searching just observing. Deputy Lutz made contact with one of the residents [redacted] Officer [redacted] was unable to hear the conversation between the two, but moments later [redacted] appeared from behind [redacted]. [redacted] was detained by Deputy [redacted]. Officer [redacted] asked [redacted] for permission to search the location for the male Hispanic who had ran from Officer [redacted] earlier. [redacted] gave his consent and Officer [redacted] and Deputy Lutz looked inside of the

residence but did not locate anyone else.

Officer [redacted] said Deputy [redacted] took [redacted] inside one of the bed rooms and was talking to her. Officer [redacted] said he and Deputy [redacted] found a male (identified as [redacted]) hiding inside of the shower. Officer [redacted] placed his handcuffs on [redacted] contacted Officer [redacted] and advised him (via radio) they had found someone hiding inside of the shower. Officer [redacted] said the male Hispanic who had ran from Officer [redacted] was described as having a shaved head and a tattoo on the back of his head. Officer [redacted] saw [redacted] did not fit this description, so he decided to look in the back yard for the male Hispanic.

Deputy Lutz assisted [redacted] in the search for the male Hispanic. Deputy Lutz advised [redacted] that Deputy [redacted] told him (via radio) he saw a male Hispanic run from inside of the house south bound away from [redacted]. Officer [redacted] requested additional officers and a containment was set up.

Prior to deputies Lutz and [redacted] leaving with their prisoners, [redacted] said there was a discussion. Deputy Lutz told him that due to the Sheriff's probation search policy, he was going to write in his report both [redacted] were located in front of the location. Officer [redacted] said he was not comfortable with that decision and decided to tell his supervisor about what had occurred.

I.A.B. Note: To see a complete transcription copy of Witness [redacted] I.A.B. interview, see attached copy of interview.

Officer [redacted] of the Glendale Police Department was interviewed on August 17, 2006. The interview took place at the Glendale Police Department. Sergeants Jack Ramirez and Larry Landreth of the Internal affairs Bureau conducted the interview.

Officer [redacted] said on June 24, 2006, at approximately 1706 hours, he was driving toward [redacted] located in the city of [redacted] knew this location was a drug hang out. As [redacted] approached the location, he saw a female white and a male Hispanic with a shaved head. As the male Hispanic saw [redacted], he ran inside the location.

[redacted] noticed the Hispanic male had a tattoo on the back of his head. The female saw [redacted] and began walking away from the location. [redacted] drove past the female in an effort to see where the male Hispanic went. [redacted] then contacted the female who identified herself as [redacted] (she was later positively identified as [redacted]. She did not have any identification on her person. [redacted] ran her for warrants and found she was not wanted under the assumed name. While dealing with the female, Officer [redacted] got a call of a hit and run accident. He allowed [redacted] to leave. En route to his call, he advised other units via MDT what had transpired at the [redacted] residence. [redacted]r appeared to be the only unit to respond to [redacted] information about the [redacted] address.

[redacted] told [redacted] (via MDT) he would drive to the location in an effort to locate the male Hispanic. [redacted] finished his radio call and is contacted by [redacted] via radio. [redacted] told [redacted] to return to the [redacted] residence. Upon [redacted] return to [redacted] he saw two sheriff deputies at the location. He also saw [redacted] and a female [redacted]. [redacted] believed there was one deputy in front of the location and one deputy inside talking to a female.

[redacted] started talking to [redacted] and asked him if he knew the girl who was at the house earlier. [redacted] told [redacted] the girl's real name was [redacted], not [redacted]. [redacted] added that she gave a false name because she had warrants for her arrest. [redacted] asked [redacted] if it was ok for he and [redacted] to look inside the residence for the male Hispanic who had ran into the house earlier. [redacted] allowed them to go inside the house. The said they looked in all the rooms except the room where Deputy [redacted] and [redacted] were. They do not find anyone else inside of the location.

[redacted] told Officer [redacted] since everything appeared fine, he was going to try and locate [redacted] who had given a false name on first contact. As [redacted] was leaving the location, Officer [redacted] contacted [redacted] via radio and advised him he and Deputy [redacted] found a male hiding inside the shower . [redacted] went back to [redacted] [redacted] and [redacted] were detaining [redacted]. [redacted] ran [redacted] for warrants, and he returned as a Parolee at Large. [redacted] said Lutz called [redacted] to the front of the location and told him a male Hispanic just ran out the back door. [redacted] asked Lutz if he had called for additional units and Lutz told him no. [redacted] called for additional units and they set up a containment.

At this point, [redacted] asked the deputies why they came up here, in the city of [redacted] Lutz told [redacted] they have been coming up to this house the last couple of days and had people running from them. Lutz also said they were doing extra patrol and they knew [redacted] was on probation. Lutz also said they wanted to "hit him up" on a probation type search, but were really not going to go that route because there was a new policy stating they had to film or tape the probation search. [redacted] advised Lutz that [redacted] had given his consent. Lutz said they were just going to do it as a contact. The deputies arrested [redacted] for 11550 H & S and [redacted] for the Parolee at Large warrant. The deputies asked [redacted] if they needed any help with their containment and said they would return after booking their suspects.

[redacted] said he was not sure if [redacted] was close enough to hear the conversation between he and Lutz about probation searches. [redacted] contacted Sergeant [redacted] after the incident and advised him of what had occurred.

I.A.B. Note: To see a complete transcription copy of Witness [redacted] I.A.B. interview, see attached copy of interview.

Sergeant [redacted], [redacted], of the Glendale Police Department was interviewed on August 17, 2006, at approximately 1450 hours. The interview took place at the Glendale Police Department. The interview was conducted by Sergeant's Jack Ramirez and Larry Landreth of the Internal Affairs Bureau.

Sergeant [redacted] said on June 24, 2006, he responded code-3 to assist on a perimeter of a burglary containment. The containment lasted approximately 5 to 6 hours. While at the containment, he was approached by Officers [redacted] and [redacted] who advised him of what had occurred earlier between them and two sheriff's deputies (Lutz and [redacted]). Sergeant [redacted] spoke to each officer separately, but they relayed the same information.

They told Sergeant [redacted] the deputies did not want to write in their report they conducted a probation search, due to the Sheriff's Department's policy on video taping. [redacted] told [redacted] he felt the deputies should not have searched [redacted] vehicle without reason or searched the house at [redacted]. Sergeant [redacted] said he was upset with the fact one of the deputies saw the male Hispanic flee from the location but did not bother to chase or call for additional units.

A couple of days after the incident, Sergeant [redacted] had officer [redacted] request a copy of the crime report written by Lutz and [redacted] read both reports (Sheriff's version and the report written by [redacted] and saw there are inconsistencies between the two reports. [redacted] advised his Lieutenant and they proceeded to contact Lieutenant Michael Bornman of the Cresenta Valley Sheriff's Station.

IAB Note: The interview was digitally recorded, for details, Refer to job # 17988.

[redacted] was interviewed on July 17, 2006, via telephone. Lieutenant Michael Bornman, [redacted] conducted the interview, which was recorded.

[redacted] said on June 24, 2006, he was inside of the house located at [redacted]. He went there with [redacted] and was visiting one of the residents ([redacted]). Suddenly, a male Mexican came inside and said the cops were outside. [redacted] hid in the shower of one of the bathrooms because he was a parolee at large. While hiding in the shower, [redacted] heard knocking at the front door and someone stating "police."

[redacted] answered the front door and allowed the Deputies and Officer [redacted] into the location. [redacted] told the deputy and Officer [redacted] they could look around. [redacted] heard the police enter the location and he said it sounded like they were looking around. [redacted] said he was hiding for approximately 8 to 12 minutes before he was located in the shower by the Sheriff's Department. Seconds later another Sheriff's deputy entered the bathroom along with a Glendale police officer.

The deputy that located [redacted] was described as being white with blonde hair (Deputy [redacted]. [redacted] told the deputy he had a parolee at large warrant and was arrested. Handcuffs were placed on him while he is still in the bathroom. [redacted] said he also heard a female voice [redacted] inside the location before he was located.

I.A.B. Note: To see a complete transcription copy of Witness Soovajian's interview, see attached copy of interview.

[redacted], was interviewed via telephone on August 31, 2006, at 1005 hours. The interview was conducted by Sergeant Jack Ramirez of the Internal affairs Bureau.

[redacted] said she drove to [redacted], with [redacted]. She picked him up in the city of Tujunga. She said the deputy with the red hair ([redacted]) found [redacted] hiding in the shower. Shortly after, officers from the Glendale Police Department came in. She was unclear as to who actually placed the handcuffs on [redacted]

I.A.B. Note: the interview was digitally recorded, for details, Refer to job #18049.

On August 24, 2006, I spoke to Parole Agent [redacted] of the Pasadena Parole Office. I told him I would like to speak to [redacted] Mr. [redacted] told me [redacted] was on the run again. He added that he planned on putting a parolee at large warrant in the system for his arrest.

On August 30, 2006, Sergeants Jack Ramirez and Larry Landreth of the Internal Affairs Bureau, drove to [redacted] and [redacted], [redacted] in an attempt to locate and interview [redacted] He was not at either location.

On August 31, 2006, at approximately 0835 hours, I spoke to [redacted] via telephone. [redacted] told me he has not seen his [redacted], for a couple of weeks. He said [redacted] had gotten arrested again by the Los Angeles Police Department. He said that occurred during the first part of August. He further said [redacted] got out on bail and is on the street. I asked Mr. [redacted] to have Ian call me when he saw him again.

SUBJECT INTERVIEWS

SUBJECT -Deputy [redacted] was interviewed on August 23, 2006. The interview took place at the offices of Internal Affairs Bureau. Sergeant's Jack Ramirez and John Harris of the Internal Affairs Bureau conducted the interview. Subject [redacted] was represented by Mr. Mitchell Kander, attorney from Greene & Shinee. The interview was digitally recorded and a copy of the transcribed interview is provided. The following is a summary of the interview.

Subject [redacted] said he has been employed by the Sheriff's Department since 1994.

Deputy [redacted] said the crime report he had prepared (Exhibit A) is true and an accurate account of what had occurred on June 24, 2006, at approximately 1730 hours.

[redacted] said [redacted], is located in [redacted], but is policed by the Glendale Police Department. [redacted] and Lutz started their shift wanting to take people to jail so they decided to drive to [redacted] because they know it to be a known narcotics location. The owner of the location is [redacted] As they neared the location, [redacted] and Lutz saw a Glendale Police unit (driven by Officer [redacted] and decided to see what he was doing. They had a discussion and decide they would go to [redacted] together. The Glendale Police officer lead the way.

As [redacted] and Lutz got to [redacted], they saw a blonde female (later identified as [redacted] entering the house with someone who had a bald head, NFD. [redacted] wrote in the police report that he had seen several people standing in front of the location. When asked about that statement, [redacted] replied that he considered two to be several. He said they saw a vehicle parked in the driveway and decide to run the license plate because they did not recognize the car as belonging to the residents. The license plate returned to someone they were not familiar with. [redacted] exited the Sheriff's unit to look inside the vehicle hoping he would see something in plain view. Lutz proceeded to the front door and made contact with the caretaker of the house, [redacted]

As Lutz was making contact with [redacted] appeared from behind the front door with her hands up in the air. [redacted] told [redacted] to come to him. He conducted tests and determined she was under the influence of narcotics (Methamphetamine). Glendale [redacted] was positioned on the other side of [redacted] vehicle. Lutz went inside of the location with the permission of [redacted]. [redacted] assisted Lutz by going into the location with him.

After determining that [redacted] was under the influence and arrested, [redacted] asked [redacted] if there was anything in the house that she did not want to leave behind. [redacted] told [redacted] she would like to get her property from inside of the location. [redacted] and [redacted] walked up to the house and Lutz and [redacted] were now outside of the location. [redacted] and [redacted] went into [redacted] bedroom, where Whiteaker pointed out three bags of her property and her purse. [redacted] checked the contents for weapons, which proved fruitless. [redacted] did not search any other portion of the house. [redacted] proceeded to attempt to gather intelligence on the location and was inside the room for quite awhile.

While inside the location he heard two Glendale officers running down the hallway toward the back rooms. They told [redacted] a guy had just ran out back. [redacted] could hear loud radio traffic coming from the living room. Lutz contacted [redacted] on the radio and advised him he was going to assist Glendale Police with attempting to locate the person who had ran out the back door. [redacted] then heard a noise coming from the bathroom which is adjacent to the bedroom he and [redacted] were in.

[redacted] decided to check the bathroom because he did not want someone coming up from behind and shooting him in the back. He noticed the shower curtain was closed. He checked the shower and saw [redacted] crouched down in the shower. [redacted] yelled to the Glendale officers he had the guy they were looking for. A Glendale officer came in and handcuffed [redacted]. They then took him into the hallway.

[redacted] was asked why he did not put in his report he had located [redacted] in the shower. [redacted] said Glendale Police officers had actually placed the handcuffs on [redacted] and he thought they were going to arrest him. He said he did not think it was necessary at the time, because he was a parolee at large and a warrant arrest did not require a report to be written.

[redacted] added it was Lutz who had contacted [redacted] in front of the location upon his return from assisting the Glendale officers. Lutz recognized [redacted] as a former narcotics informant. Lutz decided to arrest [redacted], once it was discovered he had a parolee at large warrant. [redacted] was asked why he did not put in his police report the Glendale Police Department had assisted he and Lutz. [redacted] said he did not think it was important at the time.

[redacted] said he requested a female deputy (Aguirre) respond to the location to search [redacted] He said as they were leaving the location, they saw a Glendale Sergeant [redacted]). Lutz told the sergeant they were going to take the two suspect's to the station for booking. He added that they told the Sergeant, "If you need us, will be back."

[redacted] said if he had to do it again, he would have put more detail into his police report. He added that he was not attempting to hide any facts of this incident. He closed by stating, "This has been a terrifying experience."

SUBJECT -Deputy Richard Lutz, [redacted] was interviewed August 23, 2006. The interview took place at the offices of Internal Affairs Bureau. Sergeants Jack Ramirez and John Harris of the Internal Affairs Bureau conducted the interview. Mitchell Kander, attorney with Greene and Shinee represented Deputy Lutz. The interview was digitally recorded and a copy of the transcribed interview is provided. The following is a summary of the interview.

Deputy Lutz has been employed by the Sheriff's Department since 1995. He told me the crime report in regards to this matter was a true and accurate account of what had occurred on June 24, 2006.

Deputy Lutz said, at the beginning of their shift, he and Deputy [redacted] decided to take some people to jail because they were both very aggressive deputies. They decided to stop by [redacted] because they knew it to be a drug hangout. As they were en route to [redacted] they saw a Glendale unit. They drive along side of the unit and asked the officer what was going on. The officer, [redacted] told them several people had ran from his partner [redacted] at [redacted] house 10 to 15 minutes earlier. They decide to drive to [redacted] together. Officer [redacted] lead in his vehicle.

As they approached the house, Lutz saw a bald headed person and a female blonde going inside of the location. Lutz also noticed a vehicle he did not recognize parked in the driveway. They ran the license plate to see who it returned to. Lutz proceeded to knock on the front door and contacted [redacted] (one of the residents). Lutz asked [redacted] if anyone else was inside of the house. [redacted] said no. About that same time, a female blonde [redacted] appeared from behind [redacted] with her hands in the air. Deputy [redacted] who was still out in the driveway area, directed [redacted] to him.

[redacted], who was on probation, invited Lutz to come inside and look around. [redacted] told Lutz that [redacted] was in rehabilitation and he was trying to clean the place up while [redacted] was gone. Lutz went inside the location with Officer [redacted] and noticed the inside of the house was cleaner than before. Lutz continued to walk through the house hoping to locate the male Hispanic or to see something in plain view.

Officer [redacted] heard radio traffic on his handheld radio and told Lutz that someone had just ran toward or away from [redacted] Lutz asked [redacted] to go to the front yard and stand next to Deputy [redacted] Lutz then told [redacted] he was going around back with [redacted] in an attempt to locate the male Hispanic. Lutz and [redacted] proceeded to look for the male Hispanic, but meet with negative results. Lutz separated himself from [redacted] by approximately 10-15 feet.

Lutz said the Glendale officers were not telling him why they were looking for this suspect or what this suspect looked like. Lutz asked [redacted] if this was the guy who had ran from his partner [redacted] earlier. [redacted] told Lutz he did not know, but to keep looking in the bushes. [redacted] contacted a neighbor who told him he saw a male Hispanic wearing a black and white checkered shirt running. [redacted] called for additional units and started setting up a containment. Lutz assisted [redacted] for approximately 15 minutes.

Lutz said he was concerned that he was away from [redacted] too long and decided to go back to the [redacted] house. He got a ride back to the location from an Asian Glendale officer. Upon Lutz's arrival, he walked into the location and saw [redacted] and maybe two Glendale officers. They had three people inside of the location. [redacted] and another person, who he recognized as [redacted] He said he has known [redacted] for quite awhile as he was a work release trustee at Cresenta Valley Station. Lutz continued to say [redacted] has given him information on narcotics dealers and is a known drug user.

Lutz asked [redacted] for [redacted] birth date so he could run him for warrants. The check returned with a parolee at large warrant. At that time, everyone exited the house and they proceed to stand in the driveway. Lutz turned to [redacted] and told him he was a PAL and was going to jail. Lutz confirmed with Glendale officers that [redacted] was not the guy they were looking for. The Glendale officers took their handcuffs off [redacted] and he placed his on him. Lutz said they ran [redacted] to see if he was on parole or probation. He returned as being on active probation. Lutz said he decided

there was too much confusion (Containment of Burglary Suspect) at the location and decided not to do a full blown probation search at this time.

Lutz then told [redacted] they were going to take [redacted] for 11500 H&S, and take [redacted] for the parolee at large warrant. Lutz told [redacted] that, in order to do a probation search, they needed a Sergeant present and had to have a video camera. Lutz said he did not even discuss that this type of search requires an Operations Plan. Lutz told [redacted] the elements did not meet the criteria for a probation search.

Lutz then told [redacted] he could do what he wanted with [redacted] He said [redacted] offered to take [redacted] a couple of different times throughout this conversation. Lutz felt the reason [redacted] wanted [redacted] was because they initially arrested and handcuffed him in the bathroom. Lutz said a female deputy responded to the location and conducted a search of [redacted] Lutz said he and [redacted] contacted Sergeant [redacted] prior to leaving the location. Lutz advised him they had arrested two people and would come back if they needed help. Lutz said Glendale had several units on scene, a helicopter and a K-9 unit. He felt there were sufficient units to handle the containment without their assistance.

Lutz said while at the station, he was approached by the field sergeant (Hamlin) who wanted to know what was going on on [redacted] because [redacted] had called asking they respond back to the location.

Lutz was asked what police jurisdiction [redacted] was located. Lutz said it is patrolled by the Glendale Police Department. Lutz was asked if he recalled any briefings or anybody saying, stay off of [redacted], or stay out of the city of [redacted] Lutz said not to his knowledge. In the crime report it stated that Lutz and [redacted] were on routine patrol. Lutz said they considered [redacted] routine because it is an active location. The report stated they saw several people in front of the location. Lutz said he only saw two people.

Lutz was questioned as to whether he had read the report written by deputy [redacted]. Lutz said he did not read it as if a trainee had written it. Lutz and [redacted] have worked together before and he trusted [redacted] report writing abilities.

Lutz stated that was not the intention of he and [redacted] to conduct a probation search of the location. In closing Lutz said, if he had to do it all over again, he would ensure the report was easier to read by adding additional information. Lutz said if it was a probation search, he definitely would have located Ian [redacted] hiding in the shower. Lutz concluded by saying he wanted the Department to know he and [redacted] did not have any intentions of doing anything illegal, wrong covering anything up.



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF



June 20, 2007

Deputy [redacted] #[redacted]
[redacted]

Dear Deputy Maloney:

You are hereby notified that it is the intention of the Sheriff's Department to remove you from your position of Deputy Sheriff Bonus I, Item No. 2708A, and reappoint you to the position of Deputy Sheriff Generalist, Item No. 2708A.

An investigation under File Number IAB 2176159, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/040.90, Reporting Information; and/or 3-01/050.05, Performance of Duty; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.37, Unnecessary Interference; and/or 3-01/030.05, General Behavior; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (*as it relates to Manual Section 5-09/465.10, Operations Plan Preparation; and/or Field Operations Directive 97-08, Reporting Procedures to Detective Division Units for Narcotic Investigations Initiated by Field Operations Unit; and/or Field Operations Directive 00-09, Search Operations; and/or Field Operations Directive 04-04, Patrol Area Integrity*); and/or 3-01/110.10, Vice and Narcotic Law Violations, on or about June 24, 2006, while on duty working a patrol assignment at Crescenta Valley Station, you drove into another agency's (Glendale Police Department's) jurisdiction without authorization or permission and engaged in the following incompetent, unprofessional, inefficient, unnecessary and/or inappropriate conduct, as evidenced by, but not limited to:

a) conducting an unlawful search of a car, and/or;

b) questioning a female suspect alone inside the bedroom of a residence, and/or;

c) separating from your partner for an extended period of time during which communication was lost with your partner, and/or;

d) failing to notify your supervisor or desk personnel of your interaction in another police agency's jurisdiction while your partner participated in a joint search operation, and/or;

e) failing to conduct a proper probation or consent search, and/or;

f) failing to contact Narcotics Bureau and allow them to conduct an investigation on the information that citizens of La Crescenta were buying narcotics from the house on [redacted] in [redacted] California, and/or;

g) choosing not to conduct a proper probation or consent search of S/[redacted] residence because it was "not worth it."

2. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/040.70, False Statements; and/or 3-01/005.10, Responsibility for Documentation, and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject [redacted] you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual while you were aware of its contents, which contained false, misleading, and/or inaccurate information, including but not limited to:

a) "[redacted]" as the reporting district, and/or;

b) "[redacted]" as the location of the occurrence, and/or;

c) "[redacted]" as the zip code for the location of the occurrence, and/or;

d) "while on routine patrol," and/or;

e) "in the [redacted]" and/or;

f) "saw several people standing in the front driveway area," and/or;

g) "I contacted a female (S/[redacted], and my partner, (Deputy Lutz) contacted a male (S/[redacted], and/or;

h) "while I was conducting my under the influence investigation, my partner was speaking to S/[redacted]"

3. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject Lutz, you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, while you were aware of its contents which contained incomplete information and/or omissions, including, but not limited to:

a) failing to mention Glendale Police Department being on the scene and/or any of their involvement, and/or;

b) failing to document that a female deputy responded to the location, and/or;

c) failing to report that you conducted a search of a vehicle in the driveway, and/or;

d) failing to report that Subject Lutz observed narcotics contraband in the residence, and/or;

e) failing to mention the encounter with S/[redacted] and/or;

f) failing to report that S/[redacted] was escorted by you into the residence, questioned inside the residence, and her personal property was searched in a bedroom of the residence, which eventually led to the discovery of S/[redacted] in an adjoining room, and/or;

g) failing to report that Subject Lutz participated in a search operation with the Glendale Police Department for approximately fifteen minutes without communication with you, and/or;

h) failing to report that you found S/[redacted] inside the residence hiding in the shower, and/or;

i) failing to report that the residence was searched, and/or;

j) failing to report that consent was obtained to enter the house, and/or;

k) failing to mention that two suspects entered the residence as you and Subject Lutz drove up.

4. That in violation of Manual of Policy and Procedures Sections 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation and/or 3-01/040.70, False Statements; and/or 3-01/030.05, General Behavior, on or about August 23, 2006, during an administrative investigation interview, you made untruthful, incomplete and/or misleading statements, including but not limited to:

a) "I walked up to the vehicle, looking inside to see if there was anything in plain view," and/or;

b) "he wasn't an issue of mine or my partner's until he was outside and my partner knew who he was and ran him. And at that time, my partner knew him and wanted to arrest him. And that's why I..I put him as contacting my partner outside," and/or;

c) And I asked him [Captain Peters] specifically, are we allowed to, to go 10-15 out of our area? And he told me, and in front of everybody, yes...We have been given carte blanche as far as I was concerned, by our Captain, that it's okay."

Prior to recommending this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

A Bonus Deputy is recognized as a specialized position that requires certain skills and expertise.

Qualified personnel may be conditionally appointed by the Department to these positions and compensated accordingly while occupying the position.

Please be advised that a removal from your Bonus position does not constitute a reduction and/or demotion under Civil Service Rules of the County. However, due to the reasons for your removal, you will be afforded the opportunity to respond.

You have the right to grieve this action within ten (10) business days of the receipt of this letter. Your grievance procedure may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to respond and will result in imposition.

At the time of service of this letter of intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Susan Young, of Internal Affairs Bureau, at (323) 890-5311, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Arthur Ng, Commander
Field Operations Region I

AN:KM:lh

c: Advocacy Unit
Employee Relations Unit
Chief Neal Tyler, FORI
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2176159)



SETTLEMENT AGREEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Deputy [redacted] Employee No. [redacted], hereinafter referred to as "Grievant."

The Department and Grievant are parties to this dispute and desire to settle all issues involved in the Letter of Intention dated June 20, 2007, (IAB No. 2176159) upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Grievant for and in consideration of the mutual covenants contained herein, agree as follows:

1. The Department will, upon execution of this Settlement Agreement, remove Grievant from his Deputy Sheriff Bonus I position, and reappoint him to the position of Deputy Sheriff Generalist, Item No. 2708A.

2. Both parties further agree that the Department shall issue the Grievant a Letter of Imposition that he accepts without appeal that shall read as follows:

   1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/040.90, Reporting Information; and/or 3-01/050.05, Performance of Duty; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.37, Unnecessary Interference; and/or 3-01/030.05, General Behavior; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (*as it relates to Field Operations Directive 04-04, Patrol Area Integrity*); and/or 3-01/110.10, Vice and Narcotic Law Violations, on or about June 24, 2006, while on duty working a patrol assignment at Crescenta Valley Station, you drove into another agency's (Glendale Police Department's) jurisdiction without authorization or permission and engaged in the following incompetent, unprofessional, inefficient, unnecessary and/or inappropriate conduct, as evidenced by, but not limited to:

      a) failing to notify your supervisor or desk personnel of your interaction in another police agency's jurisdiction while your partner participated in a joint search operation, and/or;

      b) failing to contact Narcotics Bureau and allow them to conduct an investigation on the information that citizens of La Crescenta were buying narcotics from the house on [redacted] in [redacted] California.

2. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/040.70, False Statements; and/or 3-01/005.10, Responsibility for Documentation, and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject Lutz, you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained false, misleading, and/or inaccurate information, including but not limited to:

   a) "[redacted]" as the reporting district, and/or;

   b) "[redacted]" as the location of the occurrence, and/or;

   c) "[redacted]" as the zip code for the location of the occurrence, and/or;

   d) "while on routine patrol," and/or;

   e) "in the [redacted]" and/or;

   f) "I contacted a female (S/[redacted], and my partner (Deputy Lutz), contacted a male (S/[redacted].

3. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject Lutz, you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained incomplete information and/or omissions, including, but not limited to:

   a) failing to mention Glendale Police Department being on the scene and/or any of their involvement, and/or;

   b) failing to report that you conducted a search of a vehicle in the driveway, and/or;

   c) failing to report that Subject Lutz observed narcotics contraband in the residence, and/or;

d) failing to mention the encounter with S/White, and/or;

e) failing to report that S/[redacted] was escorted by you into the residence, questioned inside the residence, and her personal property was searched in a bedroom of the residence, which eventually led to the discovery of S/[redacted] in an adjoining room, and/or;

f) failing to report that Subject Lutz participated in a search operation with the Glendale Police Department for approximately fifteen minutes without communication with you, and/or;

g) failing to report that you found S/[redacted] inside the residence hiding in the shower, and/or;

h) failing to report that consent was obtained to enter the house, and that you did in fact enter.

3. Both parties further agree that allegation number four (4) in the Letter of Intent will be rescinded in its entirety.

4. The Grievant agrees to withdraw his grievance and waive any and all further administrative or judicial remedies with respect to the modified narrative in the Letter of Imposition.

5. The parties further agree that this Settlement Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.

6. In consideration of the terms and conditions set forth herein, Grievant agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Grievant concerning the subject matter of the grievance referred to herein.

7. The Grievant further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

8. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this Settlement Agreement.

9. The parties agree that the foregoing comprises the entire Settlement Agreement between the parties and that there have been no other promises made by any party. Any modification of this Settlement Agreement must be in writing.

I have read the foregoing Settlement Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

For the Sheriff's Department:

Date: 11/7/07

[redacted] Deputy

Date: 11/8/07

Neal Tyler, Chief



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



December 28, 2007

Deputy Shane Maloney, #[redacted]

Dear Deputy [redacted]

On June 20, 2007, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2176159. You were also advised of your right to review the material on which the discipline was based.

You were advised that a removal from a Bonus position does not constitute a reduction and/or demotion under the current Civil Service Rules of this County. However, you were given an opportunity to respond to the intended removal.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline.

You are hereby notified that you are removed from your position of Deputy Sheriff Bonus I, Item No. 2708A, and reappointed to the position Deputy Sheriff Generalist, Item No. 2708A, effective at the close of business on December 31, 2007.

An investigation under File Number IAB 2176159, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/040.90, Reporting Information; and/or 3-01/050.05, Performance of Duty; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.37, Unnecessary Interference; and/or 3-01/030.05, General Behavior; and/or 3-

01/030.10, Obedience to Laws, Regulations and Orders (*as it relates to Field Operations Directive 04-04, Patrol Area Integrity*); and/or 3-01/110.10, Vice and Narcotic Law Violations, on or about June 24, 2006, while on duty working a patrol assignment at Crescenta Valley Station, you drove into another agency's (Glendale Police Department's) jurisdiction without authorization or permission and engaged in the following incompetent, unprofessional, inefficient, unnecessary and/or inappropriate conduct, as evidenced by, but not limited to:

a) failing to notify your supervisor or desk personnel of your interaction in another police agency's jurisdiction while your partner participated in a joint search operation, and/or;

b) failing to contact Narcotics Bureau and allow them to conduct an investigation on the information that citizens of La Crescenta were buying narcotics from the house on [redacted] in [redacted] California.

2. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/040.70, False Statements; and/or 3-01/005.10, Responsibility for Documentation, and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject Lutz, you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained false, misleading, and/or inaccurate information, including but not limited to:

a) "[redacted]" as the reporting district, and/or;

b) "[redacted]" as the location of the occurrence, and/or;

c) "[redacted]" as the zip code for the location of the occurrence, and/or;

d) "while on routine patrol," and/or;

e) "in the [redacted]" and/or;

f) "I contacted a female (S/[redacted], and my partner, (Deputy

Lutz) contacted a male (S/[redacted].

3. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject Lutz, you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained incomplete information and/or omissions, including, but not limited to:

   a) failing to mention Glendale Police Department being on the scene and/or any of their involvement, and/or;

   b) failing to report that you conducted a search of a vehicle in the driveway, and/or;

   c) failing to report that Subject Lutz observed narcotics contraband in the residence, and/or;

   d) failing to mention the encounter with S/[redacted] and/or;

   e) failing to report that S/[redacted] was escorted by you into the residence, questioned inside the residence, and her personal property was searched in a bedroom of the residence, which eventually led to the discovery of S/[redacted] in an adjoining room, and/or;

   f) failing to report that Subject Lutz participated in a search operation with the Glendale Police Department for approximately fifteen minutes without communication with you, and/or;

   g) failing to report that you found S/[redacted] inside the residence hiding in the shower, and/or;

   h) failing to report that consent was obtained to enter the house, and that you did, in fact, enter.

A Bonus Deputy is recognized as a specialized position that requires certain skills and expertise. Qualified personnel may be conditionally appointed by the Department to these positions and compensated accordingly while occupying the position.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Timothy W. Peters, Captain
Commander, Crescenta Valley Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

TWP:KM:sy

c: Advocacy Unit
Neal B. Tyler, Chief, Field Operations Region I
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
COPS Bureau/Unit Personnel File

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169





LEROY D. BACA, SHERIFF

June 20, 2007

Deputy Richard Lutz, [redacted]

Dear Deputy Lutz:

You are hereby notified that it is the intention of the Sheriff's Department to remove you from your position of Deputy Sheriff Bonus I, Item No. 2708A, and reappoint you to the position of Deputy Sheriff Generalist, Item No. 2708A.

An investigation under File Number IAB 2176159, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/040.90, Reporting Information; and/or 3-01/050.05, Performance of Duty; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.37, Unnecessary Interference; and/or 3-01/030.05, General Behavior; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (*as it relates to Manual Section 5-09/465.10, Operations Plan Preparation; and/or Field Operations Directive 97-08, Reporting Procedures to Detective Division Units for Narcotic Investigations Initiated by Field Operations Unit; and/or Field Operations Directive 00-09, Search Operations; and/or Field Operations Directive 04-04, Patrol Area Integrity*); and/or 3-01/110.10, Vice and Narcotic Law Violations, on or about June 24, 2006, while on duty working a patrol assignment at Crescenta Valley Station, you went into another agency's (Glendale Police Department's) jurisdiction without authorization or permission and engaged in the following incompetent, unprofessional, inefficient, unnecessary and/or inappropriate conduct, as evidenced by, but not limited to:

a) failing to seize narcotics contraband, and/or;

b) failing to ensure that Glendale Police Department personnel seized discovered contraband or taken control of the contraband, and/or;

c) participating in the search for a possible suspect, while separated from your partner for approximately fifteen minutes during which communication was lost with your partner, and/or;

d) failing to notify your supervisor or desk personnel of your interaction in another police agency's jurisdiction while participating in a joint search operation, and/or;

e) failing to conduct a proper probation or consent search, and/or;

f) failing to contact Narcotics Bureau and allow them to conduct an investigation on the information that citizens of La Crescenta were buying narcotics from the house on [redacted] in [redacted] California, and/or;

g) choosing not to conduct a proper probation or consent search of S/[redacted] residence because it was "not worth it."

2. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/040.70, False Statements; and/or 3-01/005.10, Responsibility for Documentation, and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject [redacted], you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual while you were aware of its contents, which contained false, misleading, and/or inaccurate information, including but not limited to:

a) "[redacted]" as the reporting district, and/or;

b) "[redacted]" as the location of the occurrence, and/or;

c) "[redacted]" as the zip code for the location of the occurrence, and/or;

d) "while on routine patrol," and/or;

e) "in the City of La Crescenta," and/or;

f) "saw several people standing in the front driveway area," and/or;

g) "I contacted a female (S/[redacted], and my partner, (Deputy Lutz) contacted a male (S/[redacted]), and/or;

h) "while I was conducting my under the influence investigation, my partner was speaking to S/[redacted]."

3. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject [redacted], you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, while you were aware of it's contents which contained incomplete information and/or omissions, including, but not limited to:

a) failing to mention Glendale Police Department being on the scene and/or any of their involvement, and/or;

b) failing to document that a female deputy responded to the location, and/or;

c) failing to report that Subject [redacted] conducted a search of a vehicle in the driveway, and/or;

d) failing to report that you observed narcotics contraband in the residence, and/or;

e) failing to mention the encounter with S/[redacted], and/or;

f) failing to report that S/[redacted] was escorted by Subject [redacted] into the residence, questioned inside the residence, and her personal property was searched in a bedroom of the residence, which eventually led to the discovery of S/[redacted] in an adjoining room, and/or;

g) failing to report that you participated in a search operation with the Glendale Police Department for approximately fifteen minutes without communication with your partner, and/or;

h) failing to report that Subject [redacted] found S/[redacted] inside the residence hiding in the shower, and/or;

i) failing to report that the residence was searched, and/or;

j) failing to report that consent was obtained to enter the house, and/or;

k) failing to mention that two suspects entered the residence as you and Subject [redacted] drove up.

4. That in violation of Manual of Policy and Procedures Sections 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation and/or 3-01/040.70, False Statements; and/or 3-01/030.05, General Behavior, on or about August 23, 2006, during an administrative investigation interview, you made untruthful, incomplete and/or misleading statements, including but not limited to:

a) "And this was on the way to other locations," and/or;

b) S/[redacted] invited you in without any solicitation from you, and/or;

c) "My conversation with S/[redacted] did take place in the front yard....that's where I'm contacting him, is in the front yard," and/or;

d) Denying having a conversation with Glendale officers and/or with Subject [redacted] that it would be a lot smoother or easier to write in the report that you found [redacted] in front of the location and not inside the shower, or words to that effect, and/or;

e) "It's so routine [to be at the location on [redacted]] that I didn't even consider it [being out of my area]," and/or;

f) stating that it has been encouraged in the past to go to LAPD's or Glendale's jurisdiction, and/or;

g) claiming that it was routine for you to go to [redacted] on a regular basis.

Prior to recommending this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

A Bonus Deputy is recognized as a specialized position that requires certain skills and expertise. Qualified personnel may be conditionally appointed by the Department to these positions and compensated accordingly while occupying the position.

Please be advised that a removal from your Bonus position does not constitute a reduction and/or demotion under Civil Service Rules of the County. However, due to the reasons for your removal, you will be afforded the opportunity to respond.

You have the right to grieve this action within ten (10) business days of the receipt of this letter. Your grievance procedure may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to respond and will result in imposition.

At the time of service of this letter of intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Susan Young, of Internal Affairs Bureau, at ([redacted], and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Arthur Ng, Commander
Field Operations Region I

AN:KM:lh

c: Advocacy Unit
Employee Relations Unit
Chief Neal Tyler, FORI
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2176159)



NOV 20 2007

SETTLEMENT AGREEMENT

EMPLOYEE RELATIONS

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Deputy Richard Lutz, Employee No. [redacted] hereinafter referred to as "Grievant."

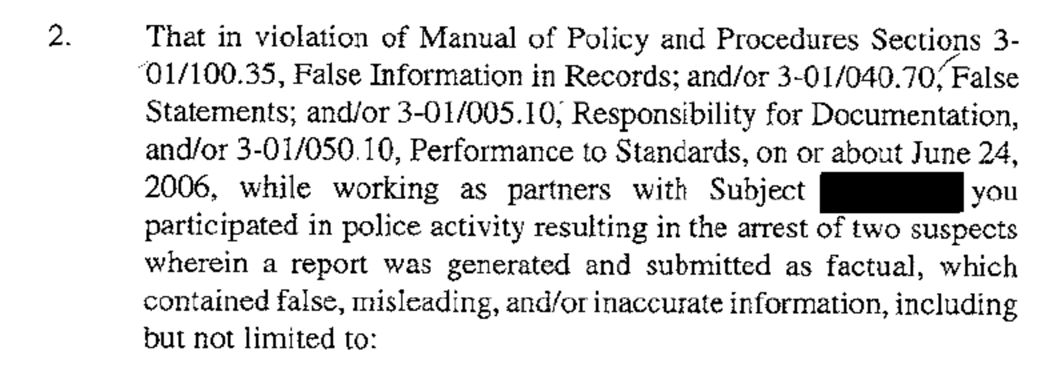
The Department and Grievant are parties to this dispute and desire to settle all issues involved in the Letter of Intention dated June 20, 2007, (IAB No. 2176159) upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Grievant for and in consideration of the mutual covenants contained herein, agree as follows:

1. The Department will, upon execution of this Settlement Agreement, remove Grievant from his Deputy Sheriff Bonus I position, and reappoint him to the position of Deputy Sheriff Generalist, Item No. 2708A.

2. Both parties further agree that the Department shall issue the Grievant a Letter of Imposition that he accepts without appeal that shall read as follows:

> 1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/040.90, Reporting Information; and/or 3-01/050.05, Performance of Duty; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.37, Unnecessary Interference; and/or 3-01/030.05, General Behavior; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (*as it relates to Field Operations Directive 04-04, Patrol Area Integrity*); and/or 3-01/110.10, Vice and Narcotic Law Violations, on or about June 24, 2006, while on duty working a patrol assignment at Crescenta Valley Station, you drove into another agency's (Glendale Police Department's) jurisdiction without authorization or permission and engaged in the following incompetent, unprofessional, inefficient, unnecessary and/or inappropriate conduct, as evidenced by, but not limited to:
>
> a) failing to notify your supervisor or desk personnel of your interaction in another police agency's jurisdiction while your partner participated in a joint search operation, and/or;
>
> b) failing to contact Narcotics Bureau and allow them to conduct an investigation on the information that citizens of La Crescenta were buying narcotics from the house on [redacted] in [redacted] California.



2. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/040.70, False Statements; and/or 3-01/005.10, Responsibility for Documentation, and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject [redacted] you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained false, misleading, and/or inaccurate information, including but not limited to:

   a) "[redacted]" as the reporting district, and/or;

   b) "[redacted]" as the location of the occurrence, and/or;

   c) "[redacted]" as the zip code for the location of the occurrence, and/or;

   d) "while on routine patrol," and/or;

   e) "in the [redacted]" and/or;

   f) "I contacted a male (S/[redacted]), and my partner (Deputy [redacted]), contacted a female (S/[redacted].

3. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject [redacted] you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained incomplete information and/or omissions, including, but not limited to:

   a) failing to mention Glendale Police Department being on the scene and/or any of their involvement, and/or;

   b) failing to report that Subject [redacted] conducted a search of a vehicle in the driveway, and/or;

   c) failing to report that you observed narcotics contraband in the residence, and/or;

d) failing to mention the encounter with S/[redacted] and/or;

e) failing to report that S/[redacted] was escorted by Subject [redacted] into the residence, which eventually led to the discovery of S/[redacted] in an adjoining room, and/or;

f) failing to report that you participated in a search operation with the Glendale Police Department for approximately fifteen minutes without communication with your partner, and/or;

g) failing to report that Subject [redacted] found S/[redacted] inside the residence hiding in the shower, and/or;

h) failing to report that consent was obtained to enter the house, and that you did in fact enter.

3. Both parties further agree that allegation number four (4) in the Letter of Intent will be rescinded in its entirety.

4. The Grievant agrees to withdraw his grievance and waive any and all further administrative or judicial remedies with respect to the modified narrative in the Letter of Imposition.

5. The parties further agree that this Settlement Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.

6. In consideration of the terms and conditions set forth herein, Grievant agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Grievant concerning the subject matter of the grievance referred to herein.

7. The Grievant further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

8. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this Settlement Agreement.

9. The parties agree that the foregoing comprises the entire Settlement Agreement between the parties and that there have been no other promises made by any party. Any modification of this Settlement Agreement must be in writing.

I have read the foregoing Settlement Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

For the Sheriff's Department:

Date: 11/07/07

Richard Lutz, Deputy

Date: 11/8/07

Neal Tyler, Chief



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



December 28, 2007

Deputy Richard Lutz, #[redacted]

[redacted]

Dear Deputy Lutz:

On June 20, 2007, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2176159. You were also advised of your right to review the material on which the discipline was based.

You were advised that a removal from a Bonus position does not constitute a reduction and/or demotion under the current Civil Service Rules of this County. However, you were given an opportunity to respond to the intended removal.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline.

You are hereby notified that you are removed from your position of Deputy Sheriff Bonus I, Item No. 2708A, and reappointed to the position Deputy Sheriff Generalist, Item No. 2708A, effective at the close of business on December 31, 2007.

An investigation under File Number IAB 2176159, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/040.90, Reporting Information; and/or 3-01/050.05, Performance of Duty; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.37, Unnecessary Interference; and/or 3-01/030.05, General Behavior; and/or 3-

01/030.10, Obedience to Laws, Regulations and Orders (*as it relates Field Operations Directive 04-04, Patrol Area Integrity*); and/or 3-01/110.10, Vice and Narcotic Law Violations, on or about June 24, 2006, while on duty working a patrol assignment at Crescenta Valley Station, you drove into another agency's (Glendale Police Department's) jurisdiction without authorization or permission and engaged in the following incompetent, unprofessional, inefficient, unnecessary and/or inappropriate conduct, as evidenced by, but not limited to:

a) failing to notify your supervisor or desk personnel of your interaction in another police agency's jurisdiction while your partner participated in a joint search operation, and/or;

b) failing to contact Narcotics Bureau and allow them to conduct an investigation on the information that citizens of La Crescenta were buying narcotics from the house on [redacted] in [redacted] California.

2. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/040.70, False Statements; and/or 3-01/005.10, Responsibility for Documentation, and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject [redacted] you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained false, misleading, and/or inaccurate information, including but not limited to:

a) "[redacted]" as the reporting district, and/or;

b) "[redacted]" as the location of the occurrence, and/or;

c) "[redacted]" as the zip code for the location of the occurrence, and/or;

d) "while on routine patrol," and/or;

e) "in the [redacted]" and/or;

f) "I contacted a male (S/[redacted] and my partner, (Deputy

[redacted] contacted a female (S/[redacted].

3. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/050.10, Performance to Standards, on or about June 24, 2006, while working as partners with Subject [redacted] you participated in police activity resulting in the arrest of two suspects wherein a report was generated and submitted as factual, which contained incomplete information and/or omissions, including, but not limited to:

   a) failing to mention Glendale Police Department being on the scene and/or any of their involvement, and/or;

   b) failing to report that Subject [redacted] conducted a search of a vehicle in the driveway, and/or;

   c) failing to report that you observed narcotics contraband in the residence, and/or;

   d) failing to mention the encounter with S/[redacted] and/or;

   e) failing to report that S/[redacted] was escorted by Subject [redacted] into the residence, which eventually led to the discovery of S/[redacted] in an adjoining room, and/or;

   f) failing to report that you participated in a search operation with the Glendale Police Department for approximately fifteen minutes without communication with your partner, and/or;

   g) failing to report that Subject [redacted] found S/[redacted] inside the residence hiding in the shower, and/or;

   h) failing to report that consent was obtained to enter the house, and that you did in fact enter.

A Bonus Deputy is recognized as a specialized position that requires certain skills and expertise. Qualified personnel may be conditionally appointed by the Department to these positions and compensated accordingly while occupying the position.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Timothy W. Peters, Captain
Commander, Crescenta Valley Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

TWP:KM:sy

c: Advocacy Unit
Neal B. Tyler, Chief, Field Operations Region I
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Santa Clarita Valley Station/Unit Personnel File